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INFO RUEHBK/AMEMBASSY BANGKOK 1920
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UNCLAS GENEVA 001057

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E.O. 12958: N/A
TAGS: [TBIO](#) [AORC](#)
SUBJECT: JOINT U.S.-JAPAN MEETING WITH WHO DIRECTOR-GENERAL
CHAN: AVIAN FLU AND SAMPLE SHARING

REF: SECSTATE 54183

1, Ambassador Tichenor and Japanese Permanent Representative Ichiro Fujisaki, accompanied by Health Attaches of the two Missions, met April 24 with World Health Organization (WHO) Director-General Margaret Chan. Chan was accompanied by Dr. Bill Kean, Executive Director of the DG's office, and Gian Luca Burci, WHO Legal Counsel. Drawing on points contained reftel, Ambassador Tichenor stressed to Chan the issue of sample sharing of influenza virus is not a North/South issue, cannot be dealt with on a bilateral basis, should not be seen as an issue involving intellectual property rights, and must be considered within the international framework. Ambassador Fujisaki underscored his support for these points. Both Ambassadors expressed support for the WHO's leadership on this issue.

¶2. Chan responded by reaffirming the importance of virus sharing to assess the risk of influenza to the world. Referring to the recent meeting in Jakarta on this issue, Chan said some countries were concerned about the lack of a level playing field and the inability of developing countries to benefit from virus sharing. Chan said Indonesia had asked Japan for the necessary permits that would allow it to send virus samples to the WHO influenza collaborating center in Japan, noting this was a positive development. Chan opined that the "union" between Thailand and Indonesia on this issue was breaking down, and such a "delinking" would be useful.

¶3. Chan said the Third World Network, a group of NGOs that normally worked on intellectual property issues within the context of WIPO, had become active on this issue and was urging countries such as Kenya, Brazil, Indonesia, Thailand and China not to share virus samples until the question of sharing benefits was solved. Chan opined that so far, only Indonesia shared this view.

¶4. Addressing the point on solving this issue within an international framework, Chan stressed the importance of working within the WHO's Global Influenza Surveillance Network, but noted some WHO collaborating centers, which she did not identify, were not following WHO guidelines and were not informing their host countries about their activities.

Referring to the April 25 meeting on options for increasing the access of developing countries to H5N1 and other potential pandemic vaccines, Chan asked for U.S. and Japanese support, particularly for the vaccine stockpile concept (see septel on this meeting). In closing, Chan thanked the United States and Japan for their support for WHO grants to six developing countries to improve vaccine production capacity.

TICHENOR